General Assembly
Official Records
Seventy-second Session
Supplement No. 42

A/72/42

Report of the Disarmament Commission for 2017

United Nations • New York, 2017

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ISSN 0251-7892

[27 April 2017]

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I. Introduction

1. At its seventy-first session, the General Assembly adopted resolution 71/82, entitled "Report of the Disarmament Commission", which reads as follows:

The General Assembly,

Having considered the report of the Disarmament Commission,[1]

Recalling its resolutions 47/54 A of 9 December 1992, 47/54 G of 8 April 1993, 48/77 A of 16 December 1993, 49/77 A of 15 December 1994, 50/72 D of 12 December 1995, 51/47 B of 10 December 1996, 52/40 B of 9 December 1997, 53/79 A of 4 December 1998, 54/56 A of 1 December 1999, 55/35 C of 20 November 2000, 56/26 A of 29 November 2001, 57/95 of 22 November 2002, 58/67 of 8 December 2003, 59/105 of 3 December 2004, 60/91 of 8 December 2005, 61/98 of 6 December 2006, 62/54 of 5 December 2007, 63/83 of 2 December 2008, 64/65 of 2 December 2009, 65/86 of 8 December 2010, 66/60 of 2 December 2011, 67/71 of 3 December 2012, 68/63 of 5 December 2013, 69/77 of 2 December 2014 and 70/68 of 7 December 2015,

Considering the role that the Disarmament Commission has been called upon to play and the contribution that it should make in examining and submitting recommendations on various problems in the field of disarmament and in promoting the implementation of the relevant decisions adopted by the General Assembly at its tenth special session,

Recalling in particular General Assembly resolution 45/62 B of 4 December 1990, in which it noted with satisfaction the adoption by consensus of a set of "Ways and means to enhance the functioning of the Disarmament Commission",[2] Assembly decision 52/492 of 8 September 1998 concerning the efficient functioning of the Commission and Assembly resolution 61/98, which contains additional measures for improving the effectiveness of the methods of work of the Commission,

Reaffirming the mandate of the Disarmament Commission as the specialized, deliberative subsidiary body of the General Assembly that allows for in-depth deliberations on specific disarmament issues, leading to the submission of concrete recommendations on those issues, and recalling that the Commission shall make every effort to ensure that, insofar as possible, decisions on substantive issues be adopted by consensus, as set forth in paragraph 118 of the Final Document of the Tenth Special Session of the General Assembly,[3]

Emphasizing once again the important place of the Disarmament Commission within the United Nations multilateral disarmament machinery,

1. *Takes note* of the report of the Disarmament Commission;[1]

2. *Reaffirms* the importance of further enhancing the dialogue and cooperation among the First Committee, the Disarmament Commission and the Conference on Disarmament, notes that the Commission has not submitted any substantive recommendations to the General Assembly in the course of the past 17 years, and thus encourages the revitalization of the work of the Commission in its current triennial cycle;

[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 42* (A/71/42).
[2] Resolution 44/119 C, annex.
[3] Resolution S-10/2.

3. *Emphasizes* the need for a focused and results-oriented discussion on the items on the agenda of the Disarmament Commission;

4. *Requests* the Disarmament Commission to continue its work in accordance with its mandate, as set forth in paragraph 118 of the Final Document of the Tenth Special Session of the General Assembly,[1] and with paragraph 3 of Assembly resolution 37/78 H of 9 December 1982 and to that end to make every effort to achieve specific recommendations on the items on its agenda, taking into account the adopted "Ways and means to enhance the functioning of the Disarmament Commission";[2]

5. *Recalls* the fact that, in accordance with General Assembly decision 52/492, at its 355th meeting, on 4 April 2016, the Disarmament Commission adopted the provisional agenda for its substantive session of 2016,[3] on the understanding that consultations would continue on ways and means to implement resolution 69/77, and that the Commission decided that the agenda for its substantive session of 2015 should serve for the period 2015-2017;

6. *Recommends* that the Disarmament Commission continue consideration of the following items at its substantive session of 2017:

(a) Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons;

(b) Practical confidence-building measures in the field of conventional weapons;

7. *Notes* the consultations with Member States conducted by the Chair of the Disarmament Commission during its intersessional period regarding a working paper containing a proposal for the inclusion of a third item in its agenda for the remaining period of the present triennial cycle[4] in the context of considering ways and means to implement General Assembly resolution 69/77, in accordance with Assembly decision 52/492, and encourages the Commission to hold informal discussions on the subject contained in the above-mentioned working paper during the substantive session of the Commission in 2017, without prejudice to the deliberations on the existing agenda items;

8. *Also notes* that the Disarmament Commission encourages the Chairs of its working groups to continue, during the intersessional period, informal consultations on the agenda item allocated to each of the groups;

9. *Encourages* the Disarmament Commission to invite, as appropriate, the United Nations Institute for Disarmament Research to prepare background papers on the items on its agenda and, if need be, other disarmament experts to present their views, as provided for in paragraph 3 (e) of resolution 61/98, upon the invitation of the Chair and with the prior approval of the Commission;

10. *Requests* the Disarmament Commission to meet for a period not exceeding three weeks during 2017, namely from 3 to 21 April, and to submit a substantive report to the General Assembly at its seventy-second session, and stresses that the report of the Commission should contain a summary by the Chair of the proceedings to reflect different views or positions if no agreement can be reached on the specific agenda item deliberated on, as provided for in paragraph 3.4 of the adopted "Ways and means to enhance the functioning of the Disarmament Commission";

[4] A/CN.10/2016/WP.1.

11. *Requests* the Secretary-General to ensure full provision to the Disarmament Commission and its subsidiary bodies of interpretation and translation facilities in the official languages and to assign, as a matter of priority, all the resources and services necessary, including verbatim records, to that end, and also requests the Secretary-General to transmit to the Commission the annual report of the Conference on Disarmament on its 2016 session,[5] together with all the official records of the seventy-first session of the General Assembly relating to disarmament matters, and to render all assistance that the Commission may require for implementing the present resolution;

12. *Invites* Member States to submit their views and proposals on the matter early enough to enable practical consultations among them prior to the beginning of the substantive session of 2017 of the Disarmament Commission, with a view to facilitating its constructive outcome, and in this regard encourages the Chair-designate to commence consultations and preparations for the substantive session of 2017 in a timely manner upon his or her nomination;

13. *Decides* to include in the provisional agenda of its seventy-second session, under the item entitled "Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session", the sub-item entitled "Report of the Disarmament Commission".

II. Organization and work of the substantive session of 2017

2. The Disarmament Commission held its organizational session for 2017 at the United Nations Headquarters at its 361st plenary meeting, on 13 February 2017 (see A/CN.10/PV.361). At that meeting, the Commission considered questions relating to the organization of work and substantive agenda items for its substantive session of 2017 in accordance with the "Ways and means to enhance the functioning of the Disarmament Commission" adopted by the General Assembly (resolution 44/119 C, annex) and in the light of Assembly resolution 71/82. The Commission also took up the question of the election of its officers, taking into account the principle of rotation of the position of Chair among the geographic regions. The Commission elected the Deputy Permanent Representative of Argentina to the United Nations, Gabriela Martinic, as Chair for its 2017 session. The Commission took note of the provisional agenda for the substantive session of 2017.

3. At its 362nd meeting, on 3 April 2017, the Commission adopted the provisional agenda for its substantive session of 2017 (A/CN.10/L.78). The agenda reads as follows:

1. Opening of the session.
2. Adoption of the agenda.
3. Organization of work.
4. Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons.
5. Practical confidence-building measures in the field of conventional weapons.

[5] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 27* (A/71/27).

6. Report of the Disarmament Commission to the General Assembly at its seventy-second session.

7. Other business.

4. At the same meeting the Commission took note of its schedule of meetings for the session (A/CN.10/2017/CRP.1).

5. The Commission met at United Nations Headquarters from 3 to 21 April 2017. In the course of its session, the Commission held six plenary meetings (see A/CN.10/PV.362-367). The Disarmament and Peace Affairs Branch of the Department for General Assembly and Conference Management served as the secretariat of the Commission, and the Office for Disarmament Affairs represented the substantive secretariat.

6. During the 2017 session, the Bureau of the Commission was constituted as follows:

Chair:

Gabriela **Martinic** (Argentina)

Vice-Chairs:

Representatives of Antigua and Barbuda, Austria, Benin, Latvia, Lithuania, Libya, Pakistan and Turkey.

Rapporteur:

Ali **Robatjazi** (Islamic Republic of Iran).

7. At its 362nd meeting, on 3 April 2017, the Commission elected Wilmer Mendez (Bolivarian Republic of Venezuela) as Chair of Working Group I, on agenda item 4, and Lachezara Stoeva (Bulgaria) as Chair of Working Group II, on agenda item 5.

8. At its 362nd to 364th meetings, on 3 and 4 April, the Disarmament Commission held a general exchange of views on all agenda items (see A/CN.10/PV.362-364). Representatives of the following countries made statements during the general exchange of views: Afghanistan, Algeria, Argentina, Australia, Austria, Bangladesh, Brazil, Cambodia, Cameroon (on behalf of the Group of African States), Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Egypt, El Salvador (on behalf of the Community of Latin American and Caribbean States), France, India, Indonesia (on behalf of the Movement of Non-Aligned Countries), Iraq, Israel, Japan, Kazakhstan, Libya, Malaysia, Mexico, Morocco, Nepal, Nicaragua, Nigeria, Pakistan, Peru, Qatar (on behalf of the Group of Arab States), Republic of Korea, Russian Federation, Senegal, South Africa, Spain, Sri Lanka, Sudan, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Venezuela (Bolivarian Republic of).

9. At its 362nd meeting, the Commission heard a statement by the High Representative for Disarmament Affairs.

10. The Commission entrusted Working Group I with the mandate of dealing with agenda item 4. Working Group I held 12 meetings, from 5 to 21 April.

11. The Commission entrusted Working Group II with the mandate of dealing with agenda item 5. Working Group II held 13 meetings, from 4 to 21 April.

12. The Commission held informal discussions mandated in resolution 71/82 on the subject contained in working paper A/CN.10/2016/WP.1, "In accordance with the recommendations contained in the report of the Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities

(A/68/189), preparation of recommendations to promote the practical implementation of transparency and confidence-building measures in outer space activities with the goal of preventing an arms race in outer space". Some Member States considered that the issue was of interest, to be addressed by the Commission.

13. In accordance with the past practice of the Commission, some non-governmental organizations attended the plenary meetings.

III. Documentation

A. Documents submitted by the Secretary-General

14. The Commission had before it the note by the Secretary-General transmitting the list of documents submitted by the Secretary-General to the Commission for its substantive session of 2017 (A/CN.10/211).

B. Other documents, including documents submitted by Member States

15. In the course of the Commission's work, the document listed below, dealing with substantive questions, was submitted and considered:

Working paper submitted by the States members of the League of Arab States (A/CN.10/2017/WG.I/WP.1)

IV. Conclusions and recommendations

16. At its 366th plenary meeting, on 21 April, the Disarmament Commission adopted, ad referendum, the reports of the Commission and its subsidiary bodies. The Commission agreed to submit the texts of the reports, which are reproduced below, to the General Assembly.

17. At its 367th meeting, on 21 April, the Commission adopted, by consensus, the reports of the Commission and its subsidiary bodies, as orally revised, and the conclusions and recommendations contained therein regarding agenda item 5 to be presented to the General Assembly at its seventy-second session. There were no recommendations put forward by the Commission regarding agenda item 4. The Commission expressed its appreciation to the Chair, the Bureau members, the Chairs of the Working Groups and the Secretariat.

18. The report of Working Group I reads as follows:

Report of Working Group I on agenda item 4

1. At its 362nd plenary meeting, on 3 April 2017, the Disarmament Commission adopted its agenda for the 2017 substantive session, (A/CN.10/L.78), and decided to allocate to Working Group I, agenda item 4, entitled "Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons".

2. The Working Group, chaired by Wilmer Mendez (Bolivarian Republic of Venezuela), held 12 meetings, from 5 to 21 April 2017. The Disarmament and Peace Affairs Branch of the Department for General Assembly and Conference Management served as the secretariat of the Working Group. The Office for Disarmament Affairs served as adviser to the Working Group.

3. The Working Group held extensive discussions on agenda item 4.

4. At the 1st and 2nd meetings, on 5 April 2017, delegations exchanged views and made various proposals on the previous Chair's non-paper (A/CN.10/2016/WG.I/CRP.1).

5. At the 3rd and 4th meetings, on 7 April 2017, delegations continued to exchange views and made various proposals on the previous Chair's non-paper (A/CN.10/2016/WG.I/CRP.1).

6. At the 5th meeting, on 11 April 2017, the Chair introduced his non-paper dated 10 April 2017. At the 5th and 6th meetings, delegations exchanged views and made various proposals on the Chair's non-paper.

7. At the 7th meeting, on 13 April 2017, delegations continued to exchange views and made various proposals on the Chair's non-paper dated 10 April 2017.

8. At the 8th and 9th meetings, on 18 April 2017, the delegations exchanged views and made various proposals on the Chair's revised non-paper dated 17 April 2017.

9. At the 10th and 11th meetings, on 20 April 2017, the delegations continued to exchange views and made various proposals on the Chair's second revised non-paper dated 19 April 2017, to bridge their respective positions in the search for agreed language but, despite discussions, were unable to achieve a consensus.

10. Following discussions by the Group, the Chair decided to present the Chair's non-paper dated 20 April 2017, under his own responsibility and without prejudice to the position of any delegation (A/CN.10/2017/WG.I/CRP.1).

11. The following document was presented to Working Group I:

(a) Working paper submitted by the States members of the League of Arab States (A/CN.10/2017/WG.I/WP.1).

12. The Working Group recorded its appreciation to the Chair and the Secretariat.

13. At its 12th meeting, on 21 April 2017, the Working Group considered and adopted by consensus its report on agenda item 4.

19. The report of Working Group II reads as follows:

Report of Working Group II on agenda item 5

1. At its 362nd meeting, on 3 April 2017, the Disarmament Commission adopted its agenda for the 2017 substantive session (A/CN.10/L.78) and decided to allocate to Working Group II agenda item 5, entitled "Practical confidence-building measures in the field of conventional weapons."

2. The Working Group, chaired by Lachezara Stoeva (Bulgaria), held 13 meetings between 4 April and 21 April 2017. The Disarmament and Peace Affairs Branch of the Department for General Assembly and Conference Management served as secretariat of the Working Group and the Office for Disarmament Affairs served as adviser to the Working Group.

3. At its 1st meeting, on 4 April 2017, the Working Group took up the previous Chair's conference room paper (A/CN.10/2016/WG.II/CRP.1) dated 18 April 2016. At its 2nd to 12th meetings on 6, 10, 12, 17, 19 and 20 April

2017, the Working Group held deliberations during which delegations exchanged views and made written and oral proposals.

4. At its 11th meeting, on 19 April 2017, the Chair introduced a conference room paper (A/CN.10/2017/WG.II/CRP.1) dated 19 April 2017, taking into account written and oral proposals made by delegations. The conference room paper was presented under the Chair's own responsibility and without prejudice to the position of any delegation.

5. At its 12th meeting, on 20 April 2017, the Working Group completed its reading of the Chair's conference room paper (A/CN.10/2017/WG.II/CRP.1) dated 19 April 2017.

6. At its 13th meeting, on 21 April, the Working Group considered and adopted by consensus its report on agenda item 5 and a text entitled "Recommendations on practical confidence-building measures in the field of conventional weapons" (A/CN.10/2017/WG.II/CRP.1).

7. At its thirteenth meeting, on 21 April 2017, the Working Group also recorded its appreciation to the Chair and the Secretariat.

Annex

Recommendations on practical confidence-building measures in the field of conventional weapons

I. Introduction

Acknowledging the potential contribution of practical confidence-building measures in the field of conventional weapons to the maintenance and enhancement of regional and international peace and security, including their potential contribution to promoting disarmament measures, especially when applied in a comprehensive manner,

Underscoring the critical importance of effective disarmament measures and the important contribution that their implementation can make to the maintenance and enhancement of regional and international peace and security,

Reaffirming the validity of the Guidelines for appropriate types of confidence-building measures and for the implementation of such measures on a global or regional level, adopted by the Commission in 1996,

Recalling that the Disarmament Commission has been deliberating on practical confidence-building measures in the field of conventional weapons since 2005, in accordance with relevant General Assembly resolutions,

Recalling relevant provisions of the General Assembly resolutions, and bearing in mind that practical confidence-building measures in the field of conventional weapons are being carried out in several regions of the world and are reported for information to the United Nations,

Bearing in mind the view that negotiation and implementation of legally binding instruments on disarmament, arms control and non-proliferation can enhance international trust and mutual confidence, and also acknowledging that effective disarmament and arms limitation measures which directly limit or reduce military potential have particularly high confidence-building value,

The Disarmament Commission agreed on the following objectives, principles and recommendations on practical confidence-building measures in the field of conventional weapons.

II. Objectives

1. Practical confidence-building measures in the field of conventional weapons have the potential to contribute to achieving the following objectives:

1.1 Enhancing peace and security at all levels;

1.2 Defusing tensions and promoting cooperation and friendly relations between States;

1.3 Enhancing dialogue and greater transparency;

1.4 Eliminating or at least reducing the causes of mistrust, fear, uncertainties, misunderstanding and miscalculation between States;

1.5 Developing mutual confidence and trust among States to prevent or at least reduce the likelihood of wars, armed conflicts and hostilities;

1.6 Promoting progress in conventional disarmament and arms control.

III. Principles

2. In order to enhance confidence among States in the field of conventional weapons, and in carrying out practical confidence-building measures to this end, Member States should act in accordance with the purposes and principles enshrined in the Charter of the United Nations and general principles of international law relating to maintenance of international peace and security, as well as those principles listed in paragraph 2.1 of the Guidelines for appropriate types of confidence-building measures and for the implementation of such measures on a global or regional level, adopted by the Disarmament Commission in 1996.

3. In carrying out such measures, States should also take into consideration that:

3.1 Such measures should be initiated and agreed on a voluntary and reciprocal basis;

3.2 Such measures must be consistent with international law;

3.3 Such measures should be pursued taking into account legitimate security needs and concerns of all States involved on the basis of sovereign equality;

3.4 No individual State or group of States should obtain advantages over others at any stage of the confidence-building process;

3.5 Such measures should be developed at a pace that all States participating in the process deem appropriate, considering they are a step-by-step process in which the prevailing subregional, regional and international circumstances, as well as capacity of States and their specific needs should be taken into account;

3.6 Such measures can assist States when undertaking to achieve undiminished security at the lowest possible level of armaments, bearing in mind the negative effects on international peace and security of excessive or destabilizing accumulation of conventional weapons, without prejudice to the inherent right of States to self-defence;

3.7 Such measures should be pursued keeping in view that the limitation and gradual reduction of armed forces and conventional weapons should be resolutely pursued within the framework of progress towards general and complete disarmament and that States with the largest military arsenals have a special responsibility in pursuing the process of conventional armament reductions;

3.8 Such measures must be neither a substitute nor a precondition for disarmament measures nor divert attention from them;

3.9 Such measures and the full implementation, in good faith, of agreements on disarmament and arms control are complementary, and may, depending on a specific situation, be pursued simultaneously by the concerned States through mutual consent;

3.10 Such measures and the rule of law at the international level mutually support each other;

3.11 The implementation, in good faith, of legally-binding international instruments in the field of conventional weapons by their States Parties promotes confidence;

3.12 Assistance and cooperation can further facilitate the development and enhance the effectiveness of such measures.

Recommended practical confidence-building measures in the field of conventional weapons

4. The Commission recommends the following practical confidence-building measures in the field of conventional weapons, to be carried out on a voluntary basis and in accordance with the principles and objectives outlined above:

4.1 Member States are encouraged to consider, as appropriate and on a voluntary basis, setting up channels of direct communication, especially where no such channels currently exist, to create a climate of confidence, conducive to peaceful settlement of disputes, to reduce risk of misunderstanding and, in particular, to prevent any crisis situation arising from attacks launched by surprise or proxy, or due to misreading of other Member States' intentions. These may include, inter alia:

- The reciprocal appointment of points of contact and the establishment of agreed common channel between the points of contact

- The periodic exchange of relevant and agreed information and notifications;

4.2 Taking into account national security considerations, Member States are encouraged to consider making use of existing United Nations, and other regional and subregional mechanisms on transparency and information exchange in the field of conventional weapons;

4.3 Member States are encouraged, as appropriate, and on a voluntary basis, to exchange information on confidence-building measures in the field of conventional weapons at the bilateral, subregional, regional and international levels, and also to draw lessons learned from other mechanisms;

4.4 Member States should implement fully the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, as this can also contribute to confidence-building measures in the field of conventional weapons;

4.5 Member States are encouraged to continue their efforts aimed at preventing, combating and eradicating the diversion of conventional weapons into the illicit market or to criminals, illegal armed groups, terrorists or other unauthorized recipients, including through the fulfilment of their obligations in this regard under the treaties to which they are parties;

4.6 Member States in a position to do so, are encouraged, to enhance cooperation and provide, upon request, assistance, including technical and financial assistance, also through establishment of possible funding arrangements, in the areas contributing to confidence-building measures in the field of conventional weapons, including reporting, sharing best practices, organizing meetings, capacity-building, training, and sponsorship programmes;

4.7 Relevant bodies of the United Nations, relevant subregional and regional organizations are encouraged to promote, in accordance with their respective mandates, practical confidence-building measures in the field of conventional weapons and to support, upon request, the efforts of Member States in carrying them out;

4.8 Non-governmental organizations as well as research and educational institutions are encouraged to promote studies and research on confidence-building measures in the field of conventional weapons;

4.9 Member States in a position to do so are encouraged, as appropriate, to consider organizing or supporting the organization of seminars and workshops with the aim of promoting transparency and dialogue, and raising awareness on confidence-building measures in the field of conventional weapons, including these recommendations;

4.10 Member States are encouraged to consider promoting dialogue, as appropriate, and on the basis of mutually agreed parameters, on strategies and policies governing the use, deployment, control as well as trade and transfer of conventional weapons;

4.11 Member States are encouraged to consider carrying out, as appropriate, and on a voluntary basis, practical measures to enhance confidence in their troop movements that may include, inter alia, advance notification of major military manoeuvres and voluntary invitation of observers to major military exercises, as defined by the States concerned;

4.12 Member States are encouraged to consider carrying out, as appropriate, and on a voluntary basis, military constraint measures that may include, inter alia:

- Mutually agreed restrictions on the number and scope of major military exercises and movement along the border region;
- Mutually agreed limitations of troop movements;
- The establishment of demilitarized zones.

5. Member States are encouraged to consider other practical confidence-building measures, including those which have benefited other regions of the world and are reported for information to the United Nations. The Secretariat of the United Nations is encouraged to continue making available to Member States, through the website of the Office for Disarmament Affairs, the list of such measures.*

* Available from the following link: www.un.org/disarmament/cbms/repository-of-military-confidence-building-measures/.

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